

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**DANIEL LAMONT WILLIAMS #398170,**

**Plaintiff,**

**v.**

**WARDEN WAYNE CARPENTER, et al.,**

**Defendants.**

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**No. 3:14-01812  
Judge Sharp**

**ORDER**

Pending before the Court is a Report & Recommendation (“R & R”) (Docket No. 54) which recommends that Defendant Messenger’s Motion to Dismiss for failure to state a claim under Rule 12(b)(6) (Docket No. 34) be granted, and that Defendants Carpenter’s, Messenger’s and Slayman’s Motion to Dismiss (Docket No. 40) for failure to exhaust remedies under 42 U.S.C. § 1997e(a) also be granted. Plaintiff has filed no objections to the R & R, and the time for doing so has expired.

Having conducted a *de novo* review of the record in accordance with Rule 72(b) of the Federal Rules of Civil Procedure, the Court agrees with the recommended disposition. Accordingly, the Court rules as follows:

- (1) The R & R (Docket No. 54) is ACCEPTED and APPROVED;
- (2) Defendant Messenger’s Motion to Dismiss (Docket No. 34) is GRANTED;
- (3) Defendants Carpenter’s, Slayman’s, and Messenger’s Motion to Dismiss (Docket No. 40) is GRANTED; and
- (4) Plaintiffs’ “Motions to Keep Defendants On Case” (Docket Nos. 42 & 48) are DENIED.

This case is returned to Magistrate Judge Knowles.

It is SO ORDERED.



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KEVIN H. SHARP  
UNITED STATES DISTRICT JUDGE